

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, July 24, 2013 at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.

CONVENED THE MEETING AT 9:30 A.M. AND WENT INTO CLOSED SESSION AT 9:31 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:10 A.M.

COMMISSIONERS PRESENT: ADKINS, FELTON, FOX, KAHWAJIAN, MARTINEZ

Minutes of the meeting of Wednesday, July 17, 2013, for approval
APPROVED.

Consideration of Consent Calendar
APPROVED.

Unfinished Business

1. *Petition of **JAMES DECARLI** for a hearing on his **discharge**, effective November 21, 2012, from the position of Research Analyst III, Department of Public Health, **Case No. 12-367**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER, ROBERT CUEN, TO DEEM THE PETITION WITHDRAWN PURSUANT TO CIVIL SERVICE RULE 4.08 (B).

Unfinished Business (continued)

2. *Petition of **CLARK PENN** for a hearing on his thirteen (13) day **suspension**, effective September 10, 2012, from the position of GAIN Services Worker, Department of Public Social Services, **Case No. 12-282.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, ROBERT CUEN, TO REDUCE THE SUSPENSION TO TEN (10) DAYS.

3. *Petition of **JESUS RAMIREZ** for a hearing on his ten (10) day **suspension**, effective September 10, 2012, from the position of Eligibility Worker II, Department of Public Social Services, **Case No. 12-280.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, ELIZABETH MORENO, TO SUSTAIN THE DEPARTMENT. CORRECTED THE HEARING OFFICER'S RECOMMENDATION TO REPLACE "DISCHARGE" WITH "SUSPENSION."

4. *Petition of **WENDY TURNER** for a hearing on her **discharge**, effective August 23, 2012, from the position of Information Systems Analyst II, Department of Mental Health, **Case No. 12-283.***
REMANDED THE REPORT TO THE HEARING OFFICER FOR FINDINGS OF ULTIMATE FACT.

5. *Petition of **SONJA ROBLES** for a hearing on her **discharge**, effective August 27, 2012, from the position of Payroll Clerk I, Department of Public Works, **Case No. 12-269.***
CONTINUED AT THE REQUEST OF THE PARTIES.

6. *Petition of **MIKE SOTO** for a hearing on his **reduction**, effective July 16, 2012, from the position of General Maintenance Supervisor to Senior Clerk, Internal Services Department, **Case No. 12-210.***
THE COMMISSION SUSTAINED THE PETITIONER'S OBJECTIONS AND ANNOUNCED AS ITS NEW PROPOSED DECISION TO ACCEPT THE FINDINGS OF THE HEARING OFFICER, TRUDI FERGUSON, BUT REJECT THE RECOMMENDATION. THE REDUCTION IS REDUCED TO A FIFTEEN (15) DAY SUSPENSION AND RETURN THE PETITIONER TO THE POSITION OF GENERAL MAINTENANCE SUPERVISOR. COMMISSIONER KAHWAJIAN DISSENTED.

Unfinished Business (continued)

7. *Petition of **TRUWORK MENGISTU** for a hearing on her ten (10) day **suspension**, effective November 30, 2012, from the position of Nursing Attendant I, Department of Health Services, LAC+USC Healthcare Network, **Case No. 12-366**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

8. *Petition of **MARIA RAMIREZ** for a hearing on her **discharge**, effective December 20, 2012, from the position of Rehabilitation Therapy Technician, Department of Health Services, LAC+USC Medical Center, **Case No. 13-018**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

9. *Petition of **EDGAR DIAZ** for a hearing on his **discharge**, effective March 22, 2013, from the probationary position of Children's Social Worker II, Department of Children and Family Services, **Case No. 13-148**.*
CONTINUED AT THE REQUEST OF THE PETITIONER.

New Business

10. *Petition of **ENRIQUE TRIANA** for a hearing on his ten (10) day **suspension**, effective June 10, 2013, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 13-264.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

11. *Petition of **CHRISTINA SARYAN** for a hearing on her **discharge**, effective May 24, 2013, from the position of Senior Typist Clerk, Department of Mental Health, **Case No. 13-263.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

12. *Petition of **GUILLERMO VEGA** for a hearing on his **discharge**, effective May 28, 2013, from the position of Public Works Maintenance Worker, Department of Public Works, **Case No. 13-252.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

13. *Amended petition of **ROBERT G. ARTLE** for a hearing on his **physical agility score** in the examination for Fire Fighter Specialist, based on his claim of a Civil Service Rule 25 violation, **Case No. 13-056.***
DENIED.

14. *Petition of **SHIRLEY TSAI** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Human Services Administrator I, **Case No. 13-236.***
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER).

Miscellaneous

15. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
NO PUBLIC COMMENTS.

ADJOURNED TO CLOSED SESSION AT 10:40 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

16. *Petitioner's request for a hearing on his thirty (30) day **suspension**, effective June 18, 2012, from the position of Detention Services Officer, Probation Department, **Case No. 12-169.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, SUSAN GALLICK, TO REDUCE THE SUSPENSION TO TWENTY (20) DAYS.

17. *Petitioner's request for a hearing on his **discharge**, effective December 8, 2009, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 09-1513.***
OVERRULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, SUSAN GALLICK, TO SUSTAIN THE DEPARTMENT. COMMISSIONERS FELTON AND MARTINEZ DISSENTED.

18. *Petitioner's request for a hearing on his fifteen (15) day **suspension**, effective June 27, 2011, from the position of Group Supervisor Nights, Probation Department, **Case No. 11-226.***
OVERRULED THE DEPARTMENT'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, STEPHEN BIERSMITH, TO NOT SUSTAIN THE DEPARTMENT. THE DEPARTMENT DID NOT PROVE THE ALLEGATIONS IN THE LETTER OF SUSPENSION.

19. *Petitioner's request for a hearing on her ten (10) day **suspension**, effective July 10, 2012, from the position of Detention Services Officer, Probation Department, **Case No. 12-197.***
CONTINUED AT THE REQUEST OF THE DEPARTMENT.

CLOSED SESSION (continued)

Unfinished Business (continued)

20. *Petitioner's request for a hearing on the Director of Personnel's denial of his appeal of the **Appraisal of Promotability score** received in the examination for Supervising Deputy Probation Officer, **Case No. 13-084.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON RESOLUTION.
21. *Petitioner's request for a hearing on her **denial of promotion** to the position of Senior Probation Director, Probation Department, based on her claim of a Civil Service Rule 25 violation, **Case No. 13-124.***
CONTINUED AT THE REQUEST OF THE DEPARTMENT.
22. *Petitioner's request for a hearing on the Director of Personnel's denial of his appeal of the **Appraisal of Promotability score** received in the examination for Supervising Deputy Probation Officer, **Case No. 13-131.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON RESOLUTION.

New Business

23. *Petitioner's request for a hearing on his ten (10) day **suspension**, effective June 18, 2013, from the position of Detention Services Officer, Probation Department, **Case No. 13-259.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
24. *Petitioner's request for a hearing on his twenty-five (25) day **suspension**, effective May 26, 2013, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 13-268.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

CLOSED SESSION (continued)

New Business (continued)

25. *Petitioner's request for a hearing on his **reduction in rank**, effective May 7, 2013, from the position of Commander to the position of Captain, Sheriff's Department, **Case No. 13-238**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

26. *Petitioner's request for a hearing on his **discharge**, effective May 23, 2013, from the position of Deputy Probation Officer I, Probation Department, **Case No. 13-256**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

27. *Petitioner's request for a hearing on his **discharge**, effective May 29, 2013, from the position of Deputy Probation Officer II, Probation Department, **Case No. 13-260**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

28. *Petitioner's request for a hearing on her **discharge**, effective May 24, 2013, from the position of Deputy Probation Officer I, Probation Department, **Case No. 13-261**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

29. *Petitioner's request for a hearing on his **discharge**, effective May 24, 2013, from the position of Deputy Probation Officer II, Probation Department, **Case No. 13-265**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 12:01 P.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 12:02 P.M.

Legal Advisor:
Lester J. Tolnai

Head Civil Service Commission:
Steve Cheng

Head Commission Specialist:
Steve Erickson

APPROVED BY THE CIVIL SERVICE
COMMISSION ON JULY 31, 2013



Lawrence D. Crocker
Executive Director